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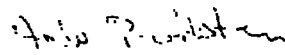
Re: Docket No. NOR 42119  
North America Freight Car Association v. Union Pacific  
Railroad Company

By a Decision served June 8, 2010 the Board agree to hold this proceeding in abeyance while the parties conducted informal discovery and discussed the possibility of mediation. The Decision directed the parties to file either a request for mediation or a proposed procedural schedule by August 9, 2010.

The parties have proceeded diligently to exchange data (although not quite all requested data has been furnished) and have discussed possible areas of compromise or mediation focus, but have not yet reached a point where we believe that it would be prudent to terminate informal discussions and make a choice between mediation and litigation.

Because the parties are earnestly pursuing data exchange and issue discussions, we jointly request that the Board postpone the response date of its June 8 decision from August 9, 2010 to September 10, 2010. Union Pacific joins in this request.

Respectfully submitted,

  
Andrew P. Goldstein  
John M. Cutler, Jr.

cc: Michael Rosenthal, Esq.